

United States Bankruptcy Court
Northern District of California

FILED

JUL 15 2025 JT

U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:
Saint Cloud, Inc., Debtor.
Case No. 25-40893
Chapter 11 Subchapter V

EMERGENCY MOTION FOR REINSTATEMENT OF AUTOMATIC STAY PENDING RESOLUTION OF MOTION TO ALTER OR AMEND JUDGMENT

Saint Cloud, Inc. ("Debtor"), appearing pro se, respectfully moves this Court for emergency relief reinstating the automatic stay pursuant to 11 U.S.C. § 105(a) and the Court's inherent equitable powers, pending resolution of Debtor's Motion to Alter or Amend Judgment under Rule 59(e). In support, Debtor states as follows:

1. Background

- Debtor filed a voluntary petition for relief under Chapter 11 Subchapter V on [Original Petition Date].
- On July 9, 2025, this Court dismissed Debtor's case due solely to Debtor's use of an obsolete Statement of Financial Affairs (Official Form 207). Debtor has now corrected this error and contemporaneously filed an updated Official Form 207.
- Debtor has filed a Motion to Alter or Amend Judgment under Rule 59(e) seeking to vacate the dismissal and reinstate the Chapter 11 case.

2. Urgent Need for Immediate Stay

- Since dismissal, Debtor faces **imminent and irreparable harm**, including:
 - **The Acceleration Group** actively attempting to foreclose on Debtor's accounts receivable and intellectual property. Group has also actively refused to send notice to Park Street Imports and Arkansas Wine and Spirits acknowledging the Bankruptcy stay.
 - **Park Street Imports and Arkansas Wine and Spirits** withholding significant funds belonging to the estate until there is clarity from this Court regarding Debtor's status as debtor-in-possession.

- Without a stay, Debtor's assets—including critical cash flow and intellectual property—are at immediate risk of dissipation, jeopardizing Debtor's ability to reorganize and causing significant harm to creditors and stakeholders.

3. Legal Authority

- This Court has authority under 11 U.S.C. § 105(a) to “issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.”
- Courts have authority to reimpose the automatic stay where equity demands, particularly where the case may be reinstated shortly and irreparable harm may result from creditor action during the interim. See, e.g., **In re Colonial Realty Co., 980 F.2d 125, 137 (2d Cir. 1992)** (noting broad equitable powers to preserve the estate).
- Reinstatement of the automatic stay is essential to preserve the status quo and prevent irreparable harm pending resolution of Debtor's Rule 59(e) motion.

4. Relief Requested

WHEREFORE, Debtor respectfully requests that this Court:

1. **Enter an Order immediately reinstating the automatic stay pursuant to 11 U.S.C. § 362 and/or the Court's equitable powers;**
2. Provide that the stay remain in effect until this Court rules on Debtor's pending Motion to Alter or Amend Judgment; and
3. Grant such other relief as is just and proper.

Date: July 14th, 2025

Respectfully submitted,

/s/ Saint Cloud, Inc.

By: Ray Walker

Authorized Representative

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Hercules, CA 94547

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Certificate of Service

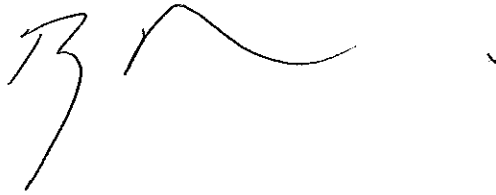
I, Ray Walker, authorized representative of Saint Cloud, Inc., certify that on this date I served a copy of the foregoing Emergency Motion upon:

- Office of the United States Trustee
- The Acceleration Group
- Park Street Imports
- Arkansas Wine and Spirits
- All parties requesting notice

by Electronic Transmission.

Date: July 14th, 2025

/s/ Ray Walker
Ray Walker

A handwritten signature in black ink, consisting of a stylized 'R' followed by a wavy line and a small dot.